

CALIFORNIA LEGISLATURE

2017–18 REGULAR SESSION

SENATE DAILY JOURNAL

SIXTY-FOURTH LEGISLATIVE DAY

IN SENATE

Senate Chamber, Sacramento
Tuesday, May 2, 2017

The Senate met at 9 a.m.

Hon. Jerry Hill, of the 13th District, presiding.

Secretary Daniel Alvarez at the Desk.

Assistant Secretary Zachary L. Twilla reading.

ROLL CALL

The roll was called and the following Senators answered to their names:

Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, De León, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mendoza, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Skinner, Stern, Stone, Vidak, Wieckowski, Wiener, and Wilk—39.

Quorum present.

(NOTE: Senator Roth will be excused this day on legislative business.)



MESSAGES FROM THE ASSEMBLY

Assembly Chamber, May 1, 2017

Mr. President: I am directed to inform your honorable body that the Assembly amended, and on this day adopted, as amended:

SCR 37

And respectfully requests your honorable body to concur in said amendments.

Above resolution ordered to unfinished business.

Assembly Chamber, May 1, 2017

Mr. President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 74

E. DOTSON WILSON, Chief Clerk of the Assembly

FIRST READING OF ASSEMBLY MEASURES

The following measure was read and referred to the Committee on Rules:

Assembly Concurrent Resolution 74—Relative to California Physical Education Week.

CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS**

Senate Bill 370—An act to amend Section 381.2 of the Public Utilities Code, relating to energy efficiency.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 700—An act to amend Sections 379.6 and 2835 of, to add the heading of Article 1 (commencing with Section 2835) to, and to add Article 2 (commencing with Section 2839.50) to, Chapter 7.7 of Part 2 of Division 1 of, the Public Utilities Code, relating to energy.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 801—An act to add Sections 353.17, 380.6, and 2836.7 to the Public Utilities Code, relating to energy, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Energy, Utilities and Communications were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.



Senate Bill 467—An act to amend Sections 367.5 and 367.6 of the Code of Civil Procedure, and to amend Sections 72010 and 72011 of the Government Code, relating to civil actions.

Bill read second time.

The amendments proposed by the Committee on Judiciary were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 64—An act to add Article 3.6 (commencing with Section 354) to Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, relating to energy.

Bill read second time and ordered to third reading.

Senate Bill 220—An act to amend Section 14005.271 of the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time and ordered to third reading.

Senate Bill 226—An act to amend Section 84305.7 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time and ordered to third reading.

Senate Bill 229—An act to amend Section 65852.2 of the Government Code, relating to land use.

Bill read second time and ordered to third reading.

Senate Bill 335—An act to add Chapter 3 (commencing with Section 6990) to Part 3 of Division 4 of the Food and Agricultural Code, relating to nurseries.

Bill read second time and ordered to third reading.

Senate Bill 385—An act to amend Sections 421, 776, 883, 913.9, 1103, and 1202 of, to add Sections 381.4, 911.2, and 916.5 to, and to repeal Sections 765.7 and 7937 of, the Public Utilities Code, relating to the Public Utilities Commission.

Bill read second time and ordered to third reading.

Senate Bill 427—An act to amend Section 116885 of, and to add Section 116890 to, the Health and Safety Code, relating to drinking water.

Bill read second time and ordered to third reading.

Senate Bill 450—An act to add Section 5852.1 to the Government Code, relating to bonds.

Bill read second time and ordered to third reading.

Senate Bill 492—An act to add Section 5540.2 of the Public Resources Code, relating to park and open-space districts.

Bill read second time and ordered to third reading.



Senate Bill 511—An act to amend Section 10 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Senate Bill 548—An act to add Sections 3509.7 and 3520.9 to the Government Code, relating to public employment.

Bill read second time and ordered to third reading.

Senate Bill 568—An act to amend Sections 316, 340, 1000, 1001, 1201, and 1202 of the Elections Code, relating to elections.

Bill read second time and ordered to third reading.

Senate Bill 639—An act to amend Section 721.5 of the Revenue and Taxation Code, relating to taxation.

Bill read second time and ordered to third reading.

Senate Bill 644—An act to add Section 668.5 to the Harbors and Navigation Code, relating to vessels.

Bill read second time and ordered to third reading.

Senate Bill 660—An act to add and repeal Section 43011.3 of the Health and Safety Code, relating to vehicular air pollution.

Bill read second time and ordered to third reading.

Senate Bill 727—An act to add Section 66406.6 to the Education Code, relating to public postsecondary education.

Bill read second time and ordered to third reading.

Senate Bill 793—An act to add and repeal Sections 32132.9 and 32132.95 of the Health and Safety Code, and to add and repeal Section 5580 of the Public Resources Code, relating to design-build.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 145—An act to amend Section 38750 of the Vehicle Code, relating to autonomous vehicles, and declaring the urgency thereof, to take effect immediately.

Bill read second time, ordered engrossed, and to consent calendar.

Senate Bill 672—An act to amend Section 21450.5 of the Vehicle Code, relating to traffic-actuated signals.

Bill read second time, ordered engrossed, and to consent calendar.



Senate Bill 488—An act to amend Sections 927, 927.1, and 927.2 of, to amend the heading of Article 10.2 (commencing with Section 927) of Chapter 1 of Part 2 of Division 1 of, and to amend, renumber, and add Section 927.3 to, the Insurance Code, relating to insurance.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 272—An act to amend Section 11785 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read second time.

The amendments proposed by the Committee on Insurance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 538—An act to add Section 513 to the Business and Professions Code, to add Section 1367.32 to the Health and Safety Code, and to add Section 10133.57 to the Insurance Code, relating to hospital contracts.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 345—An act to add Title 4.7 (commencing with Section 13650) to Part 4 of the Penal Code, relating to law enforcement.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 416—An act to amend Section 368 of the Penal Code, relating to elder abuse.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 689—An act to amend Sections 243.8 and 243.83 of the Penal Code, relating to crimes.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.



Senate Bill 784—An act to amend Section 647 of the Penal Code, relating to crimes.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 171—An act to amend Section 10951 of, and to add Article 6.3 (commencing with Section 14197) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to Medi-Cal, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 694—An act to add Article 3 (commencing with Section 72630) to Chapter 6 of Part 45 of Division 7 of Title 3 of the Education Code, relating to postsecondary education.

Bill read second time.

The amendments proposed by the Committee on Veterans Affairs were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 674—An act to amend Sections 94157, 94158, 94159, 94160, 94161, 94163, 94164, and 94165 of the Education Code, relating to student loans, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Banking and Financial Institutions were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 751—An act to amend Sections 42127 and 42127.01 of the Education Code, relating to school finance.

Bill read second time.

The amendments proposed by the Committee on Appropriations were read and adopted and the measure ordered printed, engrossed, and to third reading.

Senate Bill 443—An act to amend Section 4119 of, and to add Section 4034.5 to, the Business and Professions Code, relating to pharmacy.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 503—An act to amend Sections 18891, 18892, 18893, and 18894 of, and to amend the heading of Article 19 (commencing with 18891) of Chapter 3 of Part 10.2 of Division 2 of, the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

Bill read second time and ordered to third reading.



Senate Bill 551—An act to amend Section 44559.4 of the Health and Safety Code, relating to the Capital Access Loan Program.

Bill read second time and ordered to third reading.

Senate Bill 752—An act to amend Sections 4022.5, 4040.5, 4059.5, 4100, 4160, 4331, and 4400 of, and to add Sections 4022.6 and 4053.2 to, the Business and Professions Code, relating to healing arts.

Bill read second time and ordered to third reading.

Senate Bill 756—An act to amend Section 1202.4 of the Penal Code, relating to restitution, and making an appropriation therefor.

Bill read second time, ordered engrossed, and to third reading.

Senate Bill 252—An act to amend Section 13751 of, to add Sections 106.1 and 10729.4 to, and to add Article 5 (commencing with Section 13807) to Chapter 10 of Division 7 of, the Water Code, relating to groundwater.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 448—An act to amend Section 26909 of, to add Sections 12463.4, 56040.5, and 56042 to, and to add Article 9.5 (commencing with Section 53898) to Chapter 4 of Part 1 of Division 2 of, and to add Article 6 (commencing with Section 56879) to Chapter 5 of Part 3 of Division 3 of, Title 5 of, the Government Code, and to amend Section 2611.6 of the Revenue and Taxation Code, relating to local government.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 732—An act to amend Section 669.5 of the Evidence Code, to amend Sections 65560 and 65570 of, and to add Sections 65565 and 65565.1 to, the Government Code, to amend Section 5950.1 of the Harbors and Navigation Code, to amend Section 612 of the Public Resources Code, and to amend Section 79033.6 of the Water Code, relating to land use.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 715—An act to amend Section 106 of the Business and Professions Code, relating to consumer affairs.

Bill read second time and ordered to third reading.



Senate Bill 402—An act to add Section 1701 to the Fish and Game Code, relating to fisheries.

Bill read second time.

The amendments proposed by the Committee on Natural Resources and Water were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Resolution 10—Relative to Áo Dài Day.

Resolution read second time and ordered to third reading.

Senate Bill 166—An act to amend Section 65863 of the Government Code, relating to land use.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 435—An act to amend Sections 16142 and 16142.1 of, and to repeal and add Section 16142.5 of, the Government Code, relating to agricultural land, and making an appropriation therefor.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 156—An act to amend Section 90 of, and to add Section 217 to, the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

The amendments proposed by the Committee on Veterans Affairs were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 790—An act to add Division 117 (commencing with Section 150300) to the Health and Safety Code, relating to health care providers.

Bill read second time.

The amendments proposed by the Committee on Health were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.



Senate Bill 634—An act to repeal the Castaic Lake Water Agency Law (Chapter 28 of the First Extraordinary Session of the Statutes of 1962), and to create the Santa Clarita Valley Water District, and prescribing its boundaries, organization, operation, management, financing, and other powers and duties, relating to water districts.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 649—An act to amend Section 65964 of, and to add Section 65964.2 to, the Government Code, relating to telecommunications.

Bill read second time.

The amendments proposed by the Committee on Governance and Finance were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 615—An act to amend Sections 2930 and 2940 of, to amend the heading of Chapter 13 (commencing with Section 2930) of Division 3 of, and to add Section 2942.1 to, the Fish and Game Code, relating to the Salton Sea, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

Senate Bill 26—An act to amend Section 626.81 of the Penal Code, relating to sex offenders.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.

Senate Bill 698—An act to add Section 23152.1 to the Vehicle Code, relating to driving under the influence.

Bill read second time.

The amendments proposed by the Committee on Public Safety were read and adopted and the measure ordered printed, engrossed, and re-referred to the Committee on Appropriations.



REPORTS OF STANDING COMMITTEES**Committee on Rules**

Senate Chamber, May 2, 2017

Mr. President: The Committee on Rules has examined:

SB 73	SB 100	SB 268	SB 491
SB 584	SB 622	SB 712	SB 775
SCA 6			

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, May 2, 2017

Mr. President: The Committee on Rules has examined:

SB 615

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, May 2, 2017

Mr. President: The Committee on Rules has examined:

SB 145	SB 443	SB 672	SB 756
SB 793			

And reports the same correctly engrossed.

DE LEÓN, Chair

Committee on Appropriations

Senate Chamber, May 2, 2017

Mr. President: The Chair of the Committee on Appropriations, to which was referred:

SB 704

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

LARA, Chair

Second Reading of Bills—Author's Amendments**Senate Bill 704**—An act to add Section 64.2 to the Harbors and Navigation Code, relating to harbors and navigation.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.



Committee on Natural Resources and Water

Date of Hearing, April 25, 2017

Mr. President: The Committee on Natural Resources and Water, to which was referred:

SB 263

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

HERTZBERG, Chair

Above bill ordered to second reading.

Date of Hearing, April 25, 2017

Mr. President: The Committee on Natural Resources and Water, to which was referred:

SB 187

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To consent calendar.

HERTZBERG, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing, April 25, 2017

Mr. President: The Committee on Judiciary, to which were referred:

SB 21	SB 51	SB 213	SB 219
SB 316	SB 349	SB 378	SB 393
SB 472	SB 573	SB 687	

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

JACKSON, Chair

Above bills ordered to second reading.

Committee on Transportation and Housing

Date of Hearing, April 25, 2017

Mr. President: The Committee on Transportation and Housing, to which were referred:

SB 405 SB 744 SB 750

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BEALL, Chair

Above bills ordered to second reading.



Committee on Education

Date of Hearing, April 26, 2017

Mr. President: The Committee on Education, to which were referred:

SB 307

SB 468

SB 730

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations with the recommendation: To consent calendar.

ALLEN, Chair

Above bills ordered to second reading.

Date of Hearing, April 26, 2017

Mr. President: The Committee on Education, to which was referred:

SB 731

Reports the same back with the recommendation: Do pass as amended, and be ordered to the consent calendar.

ALLEN, Chair

Above bill ordered to second reading.

Committee on Transportation and Housing

Senate Chamber, May 2, 2017

Mr. President: The Chair of the Committee on Transportation and Housing, to which was referred:

SB 71

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

BEALL, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 71—An act to add Article 2 (commencing with Section 25408) to, and to add the heading of Article 1 (commencing with Section 25406) to, Chapter 5.1 of Division 15 of the Public Resources Code, relating to energy.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Committee on Education

Date of Hearing, April 26, 2017

Mr. President: The Committee on Education, to which were referred:

SB 257

SB 494

SB 533

SB 583

SB 592

SB 765

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

ALLEN, Chair

Above bills ordered to second reading.



Committee on Energy, Utilities and Communications

Date of Hearing, April 18, 2017

Mr. President: The Committee on Energy, Utilities and Communications, to which was referred:

SB 518

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

HUESO, Chair

Above bill ordered to second reading.

Committee on Elections and Constitutional Amendments

Date of Hearing, May 2, 2017

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

SB 235

Reports the same back with the recommendation: Do pass, but first be re-referred to the Committee on Judiciary.

STERN, Chair

Above bill re-referred to the Committee on Judiciary.

Date of Hearing, May 2, 2017

Mr. President: The Committee on Elections and Constitutional Amendments, to which was referred:

SCA 3

Reports the same back with the recommendation: Be adopted.

STERN, Chair

Above resolution ordered to second reading.

Committee on Public Safety

Date of Hearing, April 25, 2017

Mr. President: The Committee on Public Safety, to which were referred:

SB 65

SB 505

SB 699

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

SKINNER, Chair

Above bills ordered to second reading.



Committee on Governance and Finance

Senate Chamber, May 2, 2017

Mr. President: The Chair of the Committee on Governance and Finance, to which was referred:

SB 668

Reports the same back with author's amendments with the recommendation: Amend, and re-refer to the committee.

MCGUIRE, Chair

Second Reading of Bills—Author's Amendments

Senate Bill 668—An act to amend Section 15620 of the Government Code, relating to the State Board of Equalization.

Bill read second time.

The amendments were read and adopted and the measure ordered printed, engrossed, and re-referred to the committee.

Date of Hearing, April 26, 2017

Mr. President: The Committee on Governance and Finance, to which were referred:

SB 13

SB 483

SB 600

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

MCGUIRE, Chair

Above bills ordered to second reading.

Committee on Transportation and Housing

Date of Hearing, April 25, 2017

Mr. President: The Committee on Transportation and Housing, to which was referred:

SB 309

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

BEALL, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing, April 25, 2017

Mr. President: The Committee on Judiciary, to which was referred:

SB 244

Reports the same back with the recommendation: Do pass as amended, but first amend, and re-refer to the Committee on Appropriations.

JACKSON, Chair

Above bill ordered to second reading.



**MOTIONS, RESOLUTIONS AND NOTICES
MEASURES WITHDRAWN AND PLACED ON FILE**

Without objection, the following measure was withdrawn from the Committee on Appropriations and ordered to second reading:

SB 243

INTRODUCTION AND FIRST READING OF SENATE MEASURES

The following measure was offered and referred to the Committee on Rules:

Senate Resolution 36: By Senators Cannella, Beall, and Fuller—Relative to Motorcycle Awareness Month.

SENATE COMMITTEE ROLL CALLS

Committee on Elections and Constitutional Amendments

SB 235—Do pass and re-refer to the Committee on Judiciary

AYES (4)—Senators Allen, Hertzberg, Leyva, and Stern.

NOES (1)—Senator Anderson.

SCA 3—Be adopted

AYES (4)—Senators Allen, Hertzberg, Leyva, and Stern.

NOES (1)—Senator Anderson.

Date of Hearing: 5/2/2017

Stern, Chair

LEAVES OF ABSENCE

The following Senator was granted leave of absence for the day on legislative business: Senator Roth.

ADJOURNMENT

At 3:30 p.m., the Senate adjourned until 9 a.m., Wednesday, May 3, 2017.

NEVA MARIE PARKER, Minute Clerk

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